

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Transportation Enhancements and Safe Routes to School  
6 Transparency Act.

7 Section 5. Intent. This Act is intended to increase the  
8 selection transparency, objectiveness, and predictability of  
9 the Transportation Enhancements and Safe Routes to School  
10 programs.

11 Section 10. Definitions. In this Act:

12 "Committees" means the grants review committees created in  
13 this Act.

14 "Department" means the Illinois Department of  
15 Transportation.

16 "Grant programs" means the Transportation Enhancements  
17 Program and the Safe Routes to School Program as defined in the  
18 Safe Accountable Flexible Efficient Transportation Equity Act:  
19 A Legacy for Users (Public Law 109-59) or successor programs  
20 for transportation enhancements or safe routes to schools  
21 activities administered by the United States Department of  
22 Transportation.

1           "Secretary" means the Illinois Secretary of  
2           Transportation.

3           Section 15. Grants review committees. For each of the grant  
4           programs, the Secretary shall appoint a committee to evaluate,  
5           score, and rank all applications for funding submitted. The  
6           committees shall each include 2 representatives from the  
7           Department, 2 representatives from metropolitan planning  
8           organizations, counties, or municipalities, 4 representatives  
9           from other relevant state agencies, and 3 representatives from  
10          relevant public interest organizations. Committee members  
11          shall be appointed for a 4-year term and shall serve until  
12          their successor is appointed. The Secretary shall make  
13          appointments to the committees no later than 90 days following  
14          the effective date of this Act. The Secretary shall fill  
15          vacancies on the committees within 90 days.

16          Section 20. Grants review process.

17          (a) Each committee shall establish criteria for  
18          evaluating, scoring, and ranking all funding applications for  
19          the grant programs. Notwithstanding any other provision of law,  
20          these criteria are public records under the Freedom of  
21          Information Act. The criteria shall also be made available on  
22          the Department's website upon their acceptance by the  
23          committee.

24          (b) The committees shall evaluate, score, and rank all

1 funding applications for the grant programs using the  
2 established criteria. All available funding from these  
3 programs are subject to this application, evaluation, scoring,  
4 and ranking process. Notwithstanding any other provision of  
5 law, the scores and rankings of applications are public records  
6 under the Freedom of Information Act. The scores and rankings  
7 shall also be made available on the Department's website  
8 promptly upon their acceptance by the committee.

9 (c) Notwithstanding any other provision of law, the  
10 meetings of the committees are meetings of a public body open  
11 to the public under the Open Meetings Act. Any meetings of the  
12 committees including evaluating, scoring, and ranking of  
13 applications for funding shall include a public comment period.  
14 The committees shall establish reasonable criteria for the  
15 submission of public comments.

16 (d) The application evaluation, scoring, and ranking  
17 decisions of the committees are binding upon the Department.  
18 Applications shall be funded in order of ranking by the  
19 committees. The Department shall promptly announce these  
20 decisions.

21 Section 25. Grant programs frequencies and deadlines.

22 (a) No later than 120 days after the effective date of this  
23 Act, the Department, in consultation with the committees, shall  
24 select either an annual or biennial application cycle frequency  
25 for each grant program. Subject to the availability of federal

1 funds, the grant programs shall follow these frequencies.

2 (b) The Department and committees shall establish  
3 reasonable deadlines, occurring at the same time of each  
4 appropriate year, for the submission of any funding  
5 applications for the grant programs. The committees shall  
6 finalize funding decisions no later than 150 days after the  
7 deadlines for the submission of any funding applications for  
8 the grant programs.

9 Section 30. No rulemaking authority. Notwithstanding any  
10 other rulemaking authority that may exist, neither the Governor  
11 nor any agency or agency head under the jurisdiction of the  
12 Governor has any authority to make or promulgate rules to  
13 implement or enforce the provisions of this Act. If, however,  
14 the Governor believes that rules are necessary to implement or  
15 enforce the provisions of this Act, the Governor may suggest  
16 rules to the General Assembly by filing them with the Clerk of  
17 the House and the Secretary of the Senate and by requesting  
18 that the General Assembly authorize such rulemaking by law,  
19 enact those suggested rules into law, or take any other  
20 appropriate action in the General Assembly's discretion.  
21 Nothing contained in this Act shall be interpreted to grant  
22 rulemaking authority under any other Illinois statute where  
23 such authority is not otherwise explicitly given. For the  
24 purposes of this Section, "rules" is given the meaning  
25 contained in Section 1-70 of the Illinois Administrative

1 Procedure Act, and "agency" and "agency head" are given the  
2 meanings contained in Sections 1-20 and 1-25 of the Illinois  
3 Administrative Procedure Act to the extent that such  
4 definitions apply to agencies or agency heads under the  
5 jurisdiction of the Governor.

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.